

REMARKS

Rejection Under 35 USC 112, First Paragraph

Claims 12-35 have been rejected under 35 USC 112, First Paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In response to this rejection, Claims 12-35 have been cancelled. Applicants reserve the right to prosecute these cancelled claims in a related application.

Claims 1-12 and 16-19 are not Anticipated

Claims 1-12 and 16-19 have been rejected under USC § 102(a) as being anticipated by Li, *et al.* The cited reference is a publication by the Inventors less than one year prior to the filing date of the present application. The Applicants have filed (attached hereto) declarations under 37 CFR 1.132 establishing that the article is describing the Applicants' own work and the persons listed other than the Applicants were merely working under the direction of the Applicants. This declaration effectively removes the cited reference as prior art for the present invention. Since Claims 1-11 have no further pending rejections the Applicants believe that they are now in condition for allowance.

Rejection Under 35 USC 102(b)

Claim 30 has rejected under 35 USC 102(b) as being anticipated by Arteche, *et al.* Applicants submit that this rejection has been obviated by the cancellation of Claim 30.

Rejection Under 35 USC 102(a)

Claims 1-12 and 16-19 have been rejected under 35 USC 102(a) as being anticipated by Li et al. As to Claims 16-29, this rejection has been obviated by the cancellation of the rejected claims. With respect to Claims 1-12, attached is an unexecuted Declaration Under 37 CFR 1.132. An executed copy of this Declaration will be filed as a supplemental paper. The Declaration makes clear that S. Malek, an author on the cited Li et al. reference who was not named as an inventor in the subject patent application, made no conceptual contribution to the invention as claimed. It is respectfully submitted that the entry of the executed Declaration will overcome the rejection under 35 USC 102(a).

Rejection Under 35 USC 103(a)

Claim 29 has been rejected under 35 USC 103(a) as being unpatentable over Adamson et al. It is respectfully submitted that this rejection has been obviated by the cancellation of Claims 12-35.

Summary

In light of the above amendment and remarks, reconsideration of the subject patent application is respectfully requested. Any deficiency or overpayment should be charged or credited to Deposit Account No. 500282.

Respectfully submitted,



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